

Appl. No. 09/448,617  
Amdt dated February 17, 2006  
Reply to Office action of February 18, 2005

**REMARKS/ARGUMENT**

**A. General:**

1. Claims 1, 7, 14, 22, 28, 35, 43, and 60 - 65 have been amended.

a. Claims 14, 22, 35, 43, and 60 - 65 have been amended to recite that the logic means comprises a logical component and an emotional component. The logical component tracks the statements, audio responses and vignettes that have been previously selected and randomly selects the next audio response and vignette based on a list of available audio responses and vignettes that the logical component has determined to be reasonable and consistent in light of what has been previously selected. The emotional component which comprises an emotional model of the simulated person affects the random selection from the list.

b. Claim 1 has been amended to recite that the randomness in the selection is inserted by assigning a probability to each available response on the list and using those probabilities and a pseudo-random number generator to make the selection.

c. Support for the amendments to all of the claims above is found in the specification, page 3, lines 20 - 31; page 4, lines 1 - 4; page 9, lines 28 - 31; page 10, lines 1 - 31; page 11, lines 1 - 15; and page 16, lines 17 - 25.

d. Claims 60 - 65 have also been amended to recite "a plurality of vignettes" and to delete "video" where recited to clarify in those claims that the scope of the invention, in addition to including use of video vignettes of a real person, also includes other types of simulated persons, for

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example, computer-generated persons; support can be found in the specification, page 6, lines 11 - 16. Applicant notes that in the specification, page 6, lines 11 - 16, it is clear that the term "video" refers to vignettes created using both real people and computer-generated people, and Applicant does not intend to limit the meaning of the term "video" in the other remaining claims by his amendment to claims 60 - 65.

2. New claim 66 has been added to recite the interactive apparatus of the invention that comprises, in part, a logical component for tracking the statements, audio responses and vignettes that have been previously selected and determining a list of available statements, audio responses and vignettes that is reasonable and consistent in light of what has been previously selected, and then inserting an element of randomness in the selection of the next audio response and vignette by assigning a probability to each available response on the list and using those probabilities and a pseudo-random number generator to make the selection. Support is found in the specification, page 3, lines 20 - 31; page 4, lines 1 - 4; page 9, lines 28 - 31; page 10, lines 1 - 31; page 11, lines 1 - 15; and page 16, lines 17 - 25.

3. Claims 2 - 6, 9 - 13, 15 - 21, 23 - 27, 30 - 34, 36 - 42, 44 - 48, 51, and 53 - 59 have been canceled.

4. Claims 1, 7, 8, 14, 22, 28, 29, 35, 43, 49, 50, 52, and 60 - 66 remain in the application.

**B. §103 Rejections:**

1. The Examiner has rejected claims 1 - 16, 22 - 37, 49, 50, 52, and 61 - 63 under 35 USC 103(a) as being unpatentable over James et al. (US 5864844) in view of Best (US 5358259) further in view of Kawamoto et al. (US 5367454).

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Claims 2 - 6, 9 - 13, 15, 16, 23 - 27, 30 - 34, 36, and 37 have been canceled thereby obviating this rejection as to them.

Applicant has amended the independent claims to recite a key element of the invention, that is, the random selection of the response. The logical component of the invention determines a list of available audio responses and vignettes that are reasonable and consistent in light of previously selected audio responses and vignettes. A probability model is built and a probability is assigned to each available response on the list. Then, using the probabilities and a pseudo-random number generator, a response is selected. The emotional component affects the probabilities and, hence, the random selection of the response. As a result of the invention's insertion of randomness into the selection of responses that are otherwise reasonable and consistent in light of previously selected responses, as described above and as now recited in the claims, every time the invention is exercised, the simulated subject behaves differently because, to reiterate, random numbers drive the simulated person's behavior. None of the cited references disclose this feature of the invention. Applicant submits, therefore, that the combination of the cited references cannot render obvious claims 1, 7, 8, 14, 22, 28, 29, 35, 49, 50, 52, and 61 - 63.

2. The Examiner has rejected claims 60, 64, and 65 under 35 USC §103(a) as being unpatentable over Harless (US 5730603) in view of Best (US 5358259) further in view of Kawamoto et al. (US 5367454).

For the reasons stated above, in Applicant's response to the prior rejection under 35 USC §103(a), the combination of Harless, Best, and Kawamoto et al. cannot render obvious claims 60, 64, and 65.

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C. Conclusion:

In view of the above, Applicant submits that each of the presently pending claims in this application is in immediate condition for allowance. Reconsideration and withdrawal of the rejections are requested. Allowance of claims 1, 7, 8, 14, 22, 28, 29, 35, 43, 49, 50, 52, and 60 - 66 at an early date is solicited.

Respectfully submitted,

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